

From: James Green
To: Microsoft ATR
Date: 1/23/02 3:54pm
Subject: Microsoft Settlement

Hello,

I would like to make a few comments on the proposed anti-trust settlement with the Microsoft Corporation. I hope you are receiving many other comments on this, so I will keep my comments as brief as possible.

I work in the computer industry, and have experience with a wide variety of desktop computer platforms, operating systems and applications. I work for a small software/hardware development company, and have seen the results of Microsoft's monopoly in many degrees.

While I use Microsoft products where appropriate, I have seen many occasions where I have been denied a choice, or a choice was removed from me, due to the so-called "interoperability" that Microsoft's products use. This interoperability is in actuality a "crowbar" attempt to force users who use one Microsoft application to adopt other Microsoft applications as well. This has been shown in the findings of fact in this anti-trust trial.

While I applaud the findings of fact, I am worried about the proposed settlement. There are many reasons for this, which can be found in several well-written articles on the Web. But the most worrying element for me is that much of the focus is on disclosing Microsoft APIs. There are three problems with this approach:

1. The proposed settlement is too narrowly focused. It leaves many essential APIs undisclosed, and doesn't allow for necessary (and timely) documentation of those that are disclosed. Furthermore, some of these APIs (e.g. Microsoft Java) will soon be discarded by Microsoft in favor of newer technologies (e.g. .NET) which aren't covered by the settlement. It is likely Microsoft will simply abandon many of the covered APIs to avoid these restrictions.
2. There are many unreasonable restrictions placed on the use of the APIs. Because the Windows APIs remained licensed (and the patents covering them aren't even disclosed), developers run the risk of unintentionally violating the terms of their license when developing software for other operating systems. This divides the world into Windows developers and non-Windows developers, which is contrary to the intentions of the settlement.
3. Essential file formats remain undocumented, forcing users wishing to share documents to use the same application. This is perhaps the biggest crowbar in Microsoft's arsenal from a user's standpoint. I myself have found it necessary to purchase Microsoft products I did not wish to use,

